

Attorney Docket No.: ISPH-0595
Inventors: Crooke and Graham
Serial No.: 09/923,515
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The Examiner further suggests that the search required for more than one of the antisense sequences claimed in claim 3 presents an undue burden on the PTO due to the complex nature of the search, and corresponding examination of more than one of the claimed antisense sequences. The Examiner has required that Applicants are required to elect one antisense sequence. Applicants respectfully traverse this restriction requirement.

In accordance with MPEP § 808.01, an election of species should be made when a generic claim recites such a multiplicity of species that an unduly extensive and burdensome search is required. In the instant case, however, the claims are not drawn to such a large multiplicity that search of all species would be unduly extensive or burdensome. Further, the Commissioner has partially waived the requirements of 37 C.F.R. 1.141 and will permit a reasonable number of such nucleotide sequences to be claimed in a single application. Thus, allowing multiple independent and distinct nucleotide sequences to be examined in a single application. Accordingly, reconsideration of the single species election requirement of SEQ ID NO:7-41 is respectfully requested.

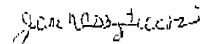
However, in an earnest effort to be completely responsive, claim 1 has been amended and claim 3 has been canceled to clarify that the claimed invention is an antisense compound targeted to a

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single disclosed species of human apolipoprotein(a), namely, SEQ ID NO: 3. Support for this amendment is found throughout the specification and at pages 84-85. Applicants believe that these amendments satisfy the species election requirement.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Claim 3 has been canceled.

Claim 1 has been amended as follows:

1. (amended) A compound 8 to 50 nucleobases in length targeted to a nucleic acid molecule encoding human apolipoprotein(a) (SEQ ID NO:3), wherein said compound specifically hybridizes with a nucleic acid molecule encoding human apolipoprotein(a) and inhibits the expression of human apolipoprotein(a).